

STAYED,TYPE I-FOIA

**U.S. District Court  
District of Columbia (Washington, DC)  
CIVIL DOCKET FOR CASE #: 1:17-cv-02337-RCL**

FINKELSTEIN v. FOOD AND DRUG ADMINISTRATION  
Assigned to: Judge Royce C. Lamberth  
Cause: 05:552 Freedom of Information Act

Date Filed: 11/06/2017  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff****KATHERINE EBAN FINKELSTEIN**

represented by **Daniel J. Stotter**  
STOTTER AND ASSOCIATES, LLC  
408 SW Monroe Avenue  
Suite M210E  
Corvallis, OR 97333  
(541) 738-2601  
Fax: (541) 738-0611  
Email: [dstotter@qwestoffice.net](mailto:dstotter@qwestoffice.net)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**C. Peter Sorenson**  
SORENSEN LAW OFFICE  
P.O. Box 10836  
Eugene, OR 97440  
(541) 606-9173  
Email: [petesorenson@gmail.com](mailto:petesorenson@gmail.com)  
**ATTORNEY TO BE NOTICED**

V.

**Defendant****FOOD AND DRUG  
ADMINISTRATION**

represented by **William Mark Nebeker**  
U.S. ATTORNEY'S OFFICE  
Civil Division  
555 Fourth Street, NW  
Washington, DC 20530  
(202) 252-2536  
Fax: (202) 252-2599  
Email: [mark.nebeker@usdoj.gov](mailto:mark.nebeker@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
11/06/2017	<u>1</u>	COMPLAINT against FOOD AND DRUG ADMINISTRATION ( Filing fee \$ 400 receipt number 0090-5193501) filed by Katherine Eban Finkelstein. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons)(Sorenson, C.) (Entered: 11/06/2017)
11/06/2017		Case Assigned to Judge Royce C. Lamberth. (md) (Entered: 11/08/2017)
11/13/2017	<u>2</u>	SUMMONS (3) Issued Electronically as to FOOD AND DRUG ADMINISTRATION, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice of Consent) (md) (Entered: 11/13/2017)
12/20/2017	<u>3</u>	NOTICE of Appearance by William Mark Nebeker on behalf of FOOD AND DRUG ADMINISTRATION (Nebeker, William) (Entered: 12/20/2017)

12/21/2017	<u>4</u>	ANSWER to Complaint by FOOD AND DRUG ADMINISTRATION.(Nebeker, William) (Entered: 12/21/2017)
12/27/2017	<u>5</u>	ORDER directing the government to file a Vaughn Index with a supporting motion to dismiss or for summary judgment by 1/22/2018. Signed by Judge Royce C. Lamberth on 12/22/17. (lsj) (Entered: 12/27/2017)
01/16/2018	<u>6</u>	Unopposed MOTION for Extension of Time to File <i>Vaughn Index And Supporting Motion</i> by FOOD AND DRUG ADMINISTRATION (Attachments: # <u>1</u> Text of Proposed Order)(Nebeker, William) (Entered: 01/16/2018)
01/16/2018	<u>7</u>	ERRATA ( <i>correcting signature block</i> ) by FOOD AND DRUG ADMINISTRATION <u>6</u> Unopposed MOTION for Extension of Time to File <i>Vaughn Index And Supporting Motion</i> filed by FOOD AND DRUG ADMINISTRATION. (Nebeker, William) (Entered: 01/16/2018)
01/22/2018	<u>8</u>	ORDER granting <u>6</u> Motion for Extension of Time to File Vaughn Index and Supporting Motion. Joint Status Report due by 2/12/2018. Signed by Judge Royce C. Lamberth on 1/19/18. (lsj) (Entered: 01/22/2018)
02/12/2018	<u>9</u>	Joint STATUS REPORT by KATHERINE EBAN FINKELSTEIN. (Sorenson, C.) (Entered: 02/12/2018)
03/08/2018	<u>10</u>	Joint STATUS REPORT by KATHERINE EBAN FINKELSTEIN. (Sorenson, C.) (Entered: 03/08/2018)
03/22/2018	<u>11</u>	Joint STATUS REPORT by KATHERINE EBAN FINKELSTEIN. (Sorenson, C.) (Entered: 03/22/2018)
06/13/2018	<u>12</u>	STATUS REPORT by KATHERINE EBAN FINKELSTEIN. (Sorenson, C.) (Entered: 06/13/2018)
08/14/2018	<u>13</u>	SCHEDULING ORDER: Cross Motions due by 11/19/2018. Response to Cross Motions due by 12/19/2018. Reply to Cross Motions due by 1/9/2019. Vaughn Index due by 10/19/2018. Signed by Judge Royce C. Lamberth on 8/14/18. (lsj) (Entered: 08/14/2018)
10/19/2018	<u>14</u>	ENTERED IN ERROR.....MOTION for Summary Judgment by FOOD AND DRUG ADMINISTRATION (Attachments: # <u>1</u> Declaration Sager, # <u>2</u> Exhibit Vaughn Index, # <u>3</u> Declaration Kotler, # <u>4</u> Text of Proposed Order)(Nebeker, William) Modified on 10/23/2018 (znmw). (Entered: 10/19/2018)
10/19/2018	<u>15</u>	MOTION for Summary Judgment by FOOD AND DRUG ADMINISTRATION (Attachments: # <u>1</u> Declaration (Declaration of Nancy B. Sager), # <u>2</u> Declaration ((Declaration of Sarah Kotler), # <u>3</u> (Vaughn Index), # <u>4</u> Text of Proposed Order)(Nebeker, William) (Entered: 10/19/2018)
10/23/2018		NOTICE OF CORRECTED DOCKET ENTRY: Docket Entry <u>14</u> MOTION for Summary Judgment was entered in error and was refiled by counsel as Docket Entry <u>15</u> MOTION for Summary Judgment. (znmw) (Entered: 10/23/2018)
11/15/2018	<u>16</u>	ENTERED IN ERROR.....Unopposed MOTION to Stay by KATHERINE EBAN FINKELSTEIN (Attachments: # <u>1</u> Text of Proposed Order)(Sorenson, C.) Modified on 11/16/2018 (jf). (Entered: 11/15/2018)
11/16/2018	<u>17</u>	Unopposed MOTION to Stay ( <i>Corrected</i> ) by KATHERINE EBAN FINKELSTEIN (Attachments: # <u>1</u> Text of Proposed Order)(Stotter, Daniel) (Entered: 11/16/2018)
11/16/2018		NOTICE OF CORRECTED DOCKET ENTRY: Document No.re <u>16</u> Unopposed MOTION to Stay was entered in error and refiled by counsel. (See Docket Entry <u>17</u> to view document(jf) (Entered: 11/16/2018)
11/26/2018	<u>18</u>	ORDER granting <u>17</u> Motion to Stay. Signed by Judge Royce C. Lamberth on 11/21/2018. (lcrcl3) (Entered: 11/26/2018)
11/26/2018		Case Stayed. Set/Reset Deadlines: Joint Status Report due by 12/17/2018 (lsj) (Entered: 11/26/2018)
12/07/2018	<u>19</u>	NOTICE OF PRODUCTION AND FILING by FOOD AND DRUG ADMINISTRATION (Attachments: # <u>1</u> Declaration Supplemental Sager Declaration,

		# <u>2</u> Exhibit Supplemental Vaughn Index)(Nebeker, William) (Entered: 12/07/2018)
12/14/2018	<u>20</u>	Joint STATUS REPORT by KATHERINE EBAN FINKELSTEIN. (Sorenson, C.) (Entered: 12/14/2018)